

STATE OF ILLINOIS
ILLINOIS LABOR RELATIONS BOARD
STATE PANEL

Minutes of the State Panel Meeting
Held on January 16, 2007

I. OPENING OF MEETING 11:00 A.M.—160 North LaSalle Street, Suite S-400, Chicago, IL

II. PRESENT

Jackie Gallagher, Chairman; Michael Coli, Member of the Board; Charles Hernandez, Member of the Board; Michael Hade, Member of the Board; Rex Piper, Member of the Board; John F. Brosnan, Executive Director; staff members; and members of the public. John F. Brosnan and Staff Counsel Sharon B. Wells acted as general counsel to the Board for this meeting.

**III. APPROVAL OF MINUTES OF REGULAR MEETING HELD DECEMBER 12, 2006
AND APPROVAL OF MINUTES OF SPECIAL MEETING HELD JANUARY 4, 2007**

Chairman Gallagher called for approval of the minutes of the December 12, 2006 and January 4, 2007 meetings. Member Piper moved to approve the minutes. Member Hade seconded. The Board passed the motion unanimously, by a voice vote.

IV. ADMINISTRATIVE MATTERS

Chairman Gallagher asked Executive Director Brosnan to present the State Panel administrative actions for the period of time from December 1 through December 31, 2006. He distributed the report to the Board for review, and the Board examined it. The Executive Director summarized the report's highlights, noting that during the month, the agency issued two certifications pursuant to representation elections, twelve certifications pursuant to majority interest petitions, and one revocation of certification. The agency also received withdrawals in connection with two representation petitions, and the agency's Administrative Law Judges (ALJs) issued two Recommended Decisions and Orders (RDOs). The Executive Director also noted that with regard to unfair labor practice cases, the agency issued two complaints for hearing and seven administrative dismissals, had ten charges withdrawn, and an ALJ issued an RDO in an unfair labor practice case.

V. BOARD ACTIONS

1. Case No. S-RC-06-153

Clerk of the Circuit Court of Cook County/International Brotherhood of Teamsters, Local 714/American Federation of State, County and Municipal Employees, Council 31

Chairman Gallagher began by summarizing the case, noting that the issues presented were whether to recuse Member Coli pursuant to AFSCME's December 7, 2006 motion, whether to reaffirm the Board's decision in Illinois Office of the Comptroller, 5 PERI ¶2010 (IL SLRB 1989), adopting the "laboratory conditions" standard, and finally, applying that standard, or some other, whether the conduct complained-of herein by AFSCME affected the outcome of the election in this case. Chairman Gallagher noted that Member Coli had assured the Board that after giving the matter serious and substantial thought, he was able and willing to judge this controversy on its merits alone, and she further noted that no member of the Board, after reviewing and considering AFSCME's motion, disagreed with Member Coli's assessment or questioned it, and thus, did not object to his participation in the Board's deliberations on December 12, 2006 and January 4, 2007, or in its deliberations and vote in this meeting. Accordingly, the Board denied AFSCME's motion to recuse Member Coli. Member Hade moved that the Board reaffirm its commitment to the "laboratory conditions" standard, and applying that standard to the conduct complained-of herein by AFSCME, find that it did not, in any manner, affect the outcome of the election in this case, and direct

the Executive Director to certify the results of the election. Member Piper seconded the motion, and the Board passed it unanimously, by a voice vote.

**2. S-CA-04-241
Office and Professional Employees International Union, Local 28/City of Kankakee**

Chairman Gallagher began by summarizing the case, noting that no party filed exceptions to the ALJ's RDO, and asked whether the Board wished to review the decision on its own motion. The Board declined to do so.

**3. S-RC-06-168/S-UC-06-060/S-UC-06-066
City of Litchfield/Laborers' International Union of North America, Local 773/Associated Firefighters of Illinois, Local 3252**

Executive Director Brosnan began by summarizing the case, noting that no party other than the Intervener, Associated Firefighters of Illinois, Local 3252, filed exceptions, and that the sole exception filed by the Intervener was extremely limited in scope, regarding a inadvertent mischaracterization on page eight of the ALJ's decision. Member Coli moved to correct the error. Member Hade seconded the motion, and the Board passed it unanimously, by a voice vote.

VI. OTHER BOARD MATTERS

The Chairman noted that there was very little to report regarding legislative matters, and there was no fiscal report this month. The Board then discussed whether there was a need for executive session. Member Hade moved to go into executive session to discuss pending litigation. Member Coli seconded the motion, and the Board passed it unanimously, by a voice vote. At the conclusion of the executive session, the Board returned to open session for adjournment.

VII. ADJOURNMENT

Chairman Gallagher called for a motion to adjourn. Member Hade made a motion to adjourn the meeting, and the Board passed it unanimously, by a voice vote.

Adopted and approved by the Chairman and Members of the State Panel of the Illinois Labor Relations Board, in Chicago, Illinois, this 6th day of February, 2007.